



DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS REGULATIONS BOARD
WASHINGTON, D.C. 20590

Hazardous Materials Regulations Board
[49 CFR Part 172]
[Docket No. HM-103; Notice No. 73-10]
HAZARD INFORMATION SYSTEM
Notice of Termination of Proposal

In the January 24, 1974, **FEDERAL REGISTER** (39 FR 3164) the Hazardous Materials Regulations Board (the Board) published a notice of proposed rule making seeking public comment on, among other things, a system to identify hazards of materials during transportation known popularly as the Hazard Information (HI) System. Within the framework of these proposed regulations, the Board proposed the use of numerical identifiers (hazard information numbers) as the mechanism for conveying the hazards and multiple hazards of different materials.

Hundreds of comments were received by the Board on the proposal and many interested persons attended a public meeting on February 14, 1974, seeking assistance in their efforts to understand the proposed HI System. There was a public hearing held on February 12, 1975, that, among other things, served as a forum for the receipt of written and oral comments from persons who were proponents of other methods pertaining to the communication of hazards of materials during transportation.

What has become clear to the Board as a result of the oral and written comments is that there is a definite lack of agreement among the carrier and shipper industries affected, emergency response personnel, and the general public as to the merits of the HI System. Disagreement arises with assertions that the system is too complex, its economic burdens are too great, the HI numbers do not adequately communicate hazard information, and that other hazard communication systems need to be evaluated by the Board and made available for public comment.

The assertion of complexity is based on the assumption that any system must be workable from the standpoint of carrier and shipping industry personnel to assure a high degree of correct compliance. A large number of commenters stated that the proposed HI System is not workable for this purpose. With approximately 59 two-digit hazard information num-

bers to be applied according to specified criteria to the 14 different placards envisioned by the proposal, there has been serious concern expressed whether proper affixment of the correct type and number of placards on a transport vehicle by either shipper or carrier personnel can be achieved without massive education and re-education programs. The concern with complexity is heightened when placarding of mixed loads is considered.

The foreseeable economic burden of the proposed HI System is considered by the Board as too great in light of the division over the merits of the system and is of special concern because of the present economic situation. Again in terms of the economic question, it has been expressed that the international implications of any unilateral U.S. action are enormous. It has been stated that it is economically essential that whatever system we adopt be either adopted by the United Nations or be compatible with the U.N. System (still under development).

Doubts have also been expressed about whether the two-digit Hazard Information Number adequately communicates hazard information. The reliance on Hazard Information Cards in addition to the two-digit number to communicate potential hazard and emergency response action is a major concern. The concern centers around the logistics of supplying all emergency personnel with Hazard Information Manuals (containing hazard information cards or pages) and the assumption that the manual would be available when needed. Some persons believe that the logistics of supply would be next to impossible and that it is insane to assume availability of the manual when needed. It has been asserted that because the first digit of the two-digit HI number indicates only the United Nation's primary hazard and because the second digit does not relate to the first and does not have a constant meaning, the HI number offers no additional information over that provided by non-numbered labels and placards without the manual.

The rail industry has pointed to the failure of the HI System to give direct warning of the hazard of containment rupture which they consider a greater hazard in rail transportation than toxicity or corrosiveness. They object to the necessity of emergency response personnel having to get close enough to a tank

car in order to read the HI number so that they can determine from the manual the potential hazard and the appropriate emergency response.

Several commenters have also cited examples where the information provided in the manual relative to the HI numbers assigned to certain materials gave inaccurate (and potentially dangerous) emergency response information.

The lack of agreement on the merits of the HI System also stems from the fact that several alternate hazard communication systems have come to the attention of the Board since publication of Docket No. HM-103. There has been a call for further Board evaluation of these systems and an opportunity for public review and comment on them.

In consideration of the foregoing, by this notice the Board is terminating its proposals under this docket pertaining to the use of a two digit number to identify the hazards of materials during transportation. In particular, Subpart G and its appendices are deleted from Notice 73-10 and all other references to hazard information numbers contained in that notice are also deleted. All other proposals made under Notice 73-10, including revisions to the placarding requirements, are still under active consideration by the Board.

Even though the Board has taken the action stated herein, it believes there is still sufficient need for the development and implementation of an effective hazard information system. In order to assist it in giving further consideration to the matter, the Board has published at page 26688 of this issue of the **FEDERAL REGISTER** an advance notice of proposed rule making seeking public comment on several hazard information systems and criteria it believes should be used in evaluating such systems.

Authority: (18 U.S.C. 831-835; Sec. 6, Pub. L. 89-670, 80 Stat. 937 (49 U.S.C. 1655); Title VI and Sec. 902(h) of Pub. L. 85-726 (49 U.S.C. 1421-1431, 1472(h)).

Issued in Washington, D.C. on June 20, 1975.

J. A. FERRARESE,
*Alternate Board Member for the
Federal Aviation Administration.*

ROBERT A. KAYE,
*Board Member for the
Federal Highway Administration.*

ROBERT WRIGHT,
*Board Member for the
Federal Railroad Administration.*

J. V. CAFFERY,
*Alternate Board Member for the
United States Coast Guard.*

[FR Doc. 75-16547 Filed 6-24-75; 8:45 am]